

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
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GULINO, ET AL.,

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: March 25, 2021

Plaintiffs,

-against-

96-CV-8414 (KMW)

THE BOARD OF EDUCATION OF THE
CITY SCHOOL DISTRICT OF THE CITY
OF NEW YORK,

ORDER

Defendant.

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KIMBA M. WOOD, United States District Judge:

On May 20, 2014, this case was referred to Special Master John Siffert pursuant to Federal Rule of Civil Procedure 53(a)(1)(B) and this Court's inherent equitable powers and authority. (ECF Nos. 435, 524.) On March 17, 2021, Special Master Siffert filed a Report and Recommendation ("R&R"), recommending that this Court adopt the Findings of Fact and Conclusions of Law for the fifth cohort of class members whose damages were determined using the Expedited Damages Model, identified in the Appendix to Exhibit 1 of the R&R ("Fifth Cohort of Expedited Class Members"); enter the Proposed Judgments submitted with the R&R as Exhibits 3-4; and certify those Proposed Judgments as final and appealable pursuant to Federal Rule of Civil Procedure 54(b). (ECF No. 7477.)

The parties agree that objections that have been preserved in the record do not need to be resubmitted to the Court in connection with this R&R. The parties further agree that the Court may adopt or reject the R&R on the basis of the arguments and objections to rulings contained in the record.

As set forth in the Second Amended Order of Appointment and consistent with Federal Rule of Civil Procedure 53(f), the Court reviews *de novo* all objections to conclusions of law and

findings of fact made or recommended by the Special Master. (ECF No. 524.) Upon *de novo* review of the R&R, as well as the Findings of Fact and the Conclusions Law—and after reviewing the previous Interim R&Rs that this Court has already adopted—the Court adopts the Findings of Fact and Conclusions of Law for the Fifth Cohort of Expedited Class Members; will enter the Proposed Judgments for the Fifth Cohort of Expedited Class Members; expressly determines that there is no just reason for delay; and certifies the Proposed Judgments for the Fifth Cohort of Expedited Class Members as final and appealable pursuant to Federal Rule of Civil Procedure 54(b).

SO ORDERED.

Dated: New York, New York
March 25, 2021

/s/ Kimba M. Wood
KIMBA M. WOOD
United States District Judge